

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,

PLAINTIFF,

V.

BILLY R. MERCER, JR.,

DEFENDANT.

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CASE NO. 2:05CR204-LSC

MOTION GRANTED

THIS 8th DAY OF June, 20 06


UNITED STATES MAGISTRATE JUDGE

**MOTION FOR PERMISSION TO APPEAL IN FORMA PAUPERIS
(BUT NOT FOR APPOINTMENT OF COUNSEL)**

Comes now defendant Billy R. Mercer, Jr., by counsel,
and submits the following:

1. Billy R. Mercer, Jr., the defendant, desires to
appeal to the U.S. Court of Appeals for the Eleventh Circuit
his criminal conviction, the judgment and sentence and all
adverse rulings thereto. See Notice of Appeal attached as
Exhibit 1.

2. The defendant was convicted by a jury on February
15, 2006 of one count of possession with intent to
distribute methamphetamine in violation of 21 U.S.C.
841(a)(1) and one count of use/carry/possession of a firearm
in furtherance of a drug trafficking crime in violation of
18 U.S.C. 924(c)(1).

3. The defendant was sentenced by this Honorable Court